

AGENDA  
ZONING REVIEW BOARD  
APRIL 13, 2006  
6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR  
**MARKED AGENDA**

**CONTINUED ITEM:**

*(continued from April 6, 2006 public hearing)*

**Z-06-16-** An Ordinance to rezone property from the I-2 (Heavy Industrial) and C-2 (Commercial Service) Districts to the MRC-3 (Mixed Residential Commercial) District, property located at **1090 and 1168 (aka known as 1170) Howell Mill Road, N.W.**, fronting approximately 600 feet on the west side of Howell Mill Road, west of the intersection of Howell Mill Road and 14<sup>th</sup> Street. Land Lot 150, 17<sup>th</sup> District Fulton County, Georgia.

Depth: varies. Area: approximately 4.5 acres

OWNER: WHITE PROVISION TENANCY IN COMMONS

APPLICANT: JAMES BREARLEY

NPU-E        **APPROVAL**        COUNCIL DISTRICT 3

**STAFF RECOMMENDATION:    APPROVAL**

**ZRB RECOMMENDATION:    APPROVAL**

**NEW CASES:**

**U-06-03-**An Ordinance granting a Special Use Permit for a Personal Care Home (Section 16-06.005 (1) (g) property located at **256 Oakcliff Court S, W.** Property fronting approximately 65 feet on the north side of Oakcliff Court. Land Lot 243, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER:        DORIS J. BARTON

APPLICANT: DORIS J. BARTON

NPU-H        **DENIAL**        COUNCIL DISTRICT 10

**STAFF RECOMMENDATION:    APPROVAL-CONDITIONAL**

**ZRB RECOMMENDATION:    APPROVAL-CONDITIONAL**

**Z-05-143-** An Ordinance to rezone from the RG-3 (Residential General-Sector 3) District to the MR4A (Multi-family Residential) District and from the O-I-C (Office-Institutional-Conditional) District to the O-I-C (Office-Institutional-Conditional) District, property located at **15**

**Habersham Road, N.E. and 3620 Piedmont Road, N.E.**, fronting approximately 142 feet on the south side of Habersham Road and approximately 368.5 feet on the west side of Roswell Road. Property is located at the intersection of Habersham and Piedmont Road. Depth: varies. Area: approximately 2 acres. Land Lot 98, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER:        HABERSHAM COURT APARTMENTS, LLC. AND JOHN LANIGAN

APPLICANT: HABERSHAM COURT APARTMENTS, LLC.

C/O WOODY GALLOWAY, DILLARD AND GALLOWAY, LLC.

NPU-B        **APPROVAL**        COUNCIL DISTRICT 7

**STAFF RECOMMENDATION:    APPROVAL**

**ZRB RECOMMENDATION:    APPROVAL-CONDITIONAL**

**Z-05-46**-An Ordinance by Councilmember Carla Smith to amend the 1982 Zoning Ordinance by supplanting the existing Chapter 16-18R SPI-18 Mechanicsville Neighborhood Special Public Interest District regulations which establish Architectural Design Standards for Single-Family and Two-Family Residential uses and create a new Subarea 10: McDaniel-Glenn Mixed Use, and to amend the Official Zoning Map by supplanting portions of existing Zoning Districts SPI-18 Subarea 4 with Subarea 10 and to amend the Sign Ordinance Chapter 28A.0010 by amending subsection (43) SPI-18 Mechanicsville Neighborhood District; and for other purposes.

NPU-V        **Not included on agenda. Will be scheduled for May agenda**

COUNCIL DISTRICT 4

**STAFF RECOMMENDATION: 30-DAY DEFERRAL**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-MAY 2006**

**Z-06-22**-An Ordinance to rezone property from I-1-C (Light Industrial-Conditional) to the I-1 (Light Industrial) District, property located at **705 Constitution Road, S.E.**, approximately 175 feet on the south side of Constitution Road beginning at the northeasterly intersection of Jonesboro Road and Constitution Road. Land Lot 27, 14<sup>th</sup> District Fulton County, Georgia.

Depth: varies. Area: approximately .779 acres

OWNER:        DESMOND Q. MCKNIGHT

APPLICANT: LEE MAYWEATHER

NPU Z        **DEFERRAL COUNCIL DISTRICT 1**

**STAFF RECOMMENDATION: 90-DAY DEFERRAL**

**ZRB RECOMMENDATION: 90-DAY DEFERRAL-JULY 2006**

**Z-06-23**-An Ordinance by Zoning Committee to rezone certain properties within the Peopletown Neighborhood from the R-5 (Two-Family Residential), RG-2 (Residential General), C-1 (Community Business), C-1-C (Community Business-Conditional), C-2 (Commercial Service), I-1 (Light Industrial), I-1-C (Light Industrial-Conditional), and I-2-C (Heavy Industrial-Conditional) Districts to the R-4A (Single-Family Residential), R-5-C (Two-Family Residential-Conditional), MR-3 (Multi-Family Residential), MR-4A-C (Multi-Family Residential-Conditional), MRC-1-C (Mixed Residential Commercial-Conditional), and I-1-C (Light Industrial-Conditional) Districts; and for other purposes.

NPU-V        **APPROVAL-CONDITIONAL COUNCIL DISTRICT 1**

**STAFF RECOMMENDATION: APPROVAL**

**ZRB RECOMMENDATION: APPROVAL**

**Z-06-24**-An Ordinance by Zoning Committee to rezone certain properties within the Summerhill Neighborhood from the R-4B (Single-Family Residential), C-1 (Community Business), C-1-C (Community Business-Conditional), C-3 (Commercial Residential), and C-3-C (Commercial Residential- Conditional) to the R-4B-C (Single-Family Residential-Conditional), MR-3-C (Multi-Family Residential-Conditional), MRC-1-C (Mixed Residential Commercial-Conditional), and MRC-3-C (Mixed Residential Commercial-Conditional); and for other purposes.

NPU V            **APPROVAL**            COUNCIL DISTRICT 1

**STAFF RECOMMENDATION: APPROVAL**

**ZRB RECOMMENDATION: APPROVAL**

**Z-06-09**-An Ordinance to rezone property from the R-4 (Single Family Residential) District and C-1 (Community Business) District to the C-1 (Community Business) District, property located at **1971-1989 College Avenue, S.E.**, fronting approximately 450 feet on the east side of College Avenue and located at the northwest corner of College Avenue and Kirkwood Avenue. Depth: varies. Area: approximately .944 acres. Land Lot 211, 15<sup>h</sup> District, Dekalb County, Georgia.

OWNER:        KIRKWOOD IRONWORKS DEVELOPMENT LLC.

APPLICANT: KIRKWOOD IRONWORKS DEVELOPMENT LLC.

C/O OF ROBERT LAMB

NPU-O            **APPROVAL-CONDITIONAL**            COUNCIL DISTRICT 5

**STAFF RECOMMENDATION: DENIAL**

**ZRB RECOMMENDATION: APPROVAL-CONDITIONAL**

**Z-06-11**-An Ordinance to rezone property from the R-4 (Single Family Residential) District to the R-4A (Single-family Residential) District, property located at **29 Rocky Ford Road, S.E.**, fronting approximately 100 feet on the east side of Rocky Ford Road beginning 300 feet from the northeast corner of Hosea Williams Drive. Depth: varies. Area: .45 acres. Land Lot 205, 15<sup>h</sup> District, Dekalb County, Georgia.

OWNER:        CHIQUITA F. IVORY

APPLICANT: LARRY J. LUCAS

NPU-O            **DENIAL**            COUNCIL DISTRICT 5

**STAFF RECOMMENDATION: DENIAL**

**ZRB RECOMMENDATION: APPROVAL**

**Z-06-13/Z-71-169**-An Ordinance to amend Ordinance Z-71-169-S, adopted by the Board of Alderman on December 20, 1971 and approved by the Mayor December 22, 1971 rezoning from the R-3 (Single family residential) and R-4 (Single family residential) Districts to the A-1-C (Apartments-Conditional) District, property located at **3391 Forrest Park Road S.E.**, for the purpose of approving an amended site plan.

OWNER: FRED S. ZOHOURI

APPLICANT: FRED S. ZOHOURI

NPU- Z        **DEFERRAL**        COUNCIL DISTRICT 12

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-JUNE 2006**

**ZRB RECOMMENDATION: 60-DAY DEFERRAL-JUNE 2006**

**Z-06-14**-An Ordinance to rezone property from the R-4 (Single Family Residential) District to the O-I (Office-Institutional) District, property located at **3541 and 3571 Campbellton Road, S.W.**, fronting approximately 587.7 feet on the north side of Campbellton Road at the northeast intersection of Campbellton and Barge Roads. Land Lot 251 of the 14th District, Fulton County, Georgia. Depth: varies. Area: approximately 14.9 acres.

OWNER: YWCA OF GREATER ATLANTA

APPLICANT: LARRY LUCAS/LAND LOGISTICS, LLC.

NPU-P        **DEFERRAL**        COUNCIL DISTRICT 11

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-JUNE 2006 (amended)**

**ZRB RECOMMENDATION: 60-DAY DEFERRAL-JUNE 2006**

#### **DEFERRED CASES:**

**Z-05-132**-An Ordinance to rezone from the C-1 (Community Business) District and the RL-C (Residential Limited-Commercial) District to the MR-3 (Multifamily Residential) District, property located at **288 and 292 Gordon Avenue, S. E.**, fronting approximately 114 feet on the west side of Gordon Avenue and approximately 177 feet on the north side of Dekalb Avenue. Property is located at the northwest corner of the intersection of Gordon Avenue and Dekalb Avenue. Depth: varies. Area: approximately .5280 acres. Land Lot 211, 15<sup>th</sup> District, Dekalb County, Georgia.

OWNER: WESLEY ARCH AND CLAYTON W. PRESTON

APPLICANT: CAPSTONE PARTNERS, INC.

NPU-N        **DENIAL**        COUNCIL DISTRICT 5

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-JUNE 2006 (amended)**

**ZRB RECOMMENDATION: 60-DAY DEFERRAL-JUNE 2006**

**Z-05-133-**An Ordinance to rezone from the R-4 (Single-family Residential) District to the R4A (Single-family Residential) District, property located at **1369 Wessyngton Road, N.E. and 1344 North Highland Avenue, N.E.**, fronting approximately 118 feet on the east side of Wessyngton Road and approximately 100 feet on the north side of North Highland Avenue.. Property is located at the northeast corner of the intersection of Wessyngton Road and North Highland Avenue. Depth: varies. Area: approximately .53 acres. Land Lot 2, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: MICHAEL GELLER

APPLICANT: LAND LOGISTICS/FRANCIS PRESIDENT

NPU-F **DENIAL** COUNCIL DISTRICT 6

**STAFF RECOMMENDATION: DENIAL**

**ZRB RECOMMENDATION: DENIAL**

**Z-05-135-**An Ordinance to rezone from the C-3 (Commercial Residential) District and the R-4 (Single-family Residential) District to the C-3-C (Commercial Residential-Conditional) District, property located at **1891, 1895 and 1875 Peachtree Road, N.E.**, fronting approximately 300 feet on the east side of Peachtree Street, beginning 500 feet northeast of Palisades. Depth: varies. Area: approximately .1.78 acres. Land Lot 110, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: SEMAH, INC./RBW HOLDINGS, LLC./JAMES CUNNINGHAM  
C/O SCOTT SCHULTEN

APPLICANT: THE PARADISE GROUP

NPU-E **NOT-IN-ATTENDANCE** COUNCIL DISTRICT 7

**STAFF RECOMMENDATION:**

**DENIAL** of the request to change the zoning of the property east of the CDP line from R-4 to C-3-C.

**APPROVAL** of the request to rezone property from the R-4 (single family residential) district and with a land use of high density commercial to the C-3-C (Commercial Residential-Conditional) District, with the following conditions:

Site plan amended to reflect a layout of the building and associated parking with the proposed new zoning district of C-3.

**ZRB RECOMMENDATION:**

**DENIAL** of the request to change the zoning of the property east of the CDP line from R-4 to C-3-C.

**APPROVAL** of the request to rezone property from the R-4 (single family residential) district and with a land use of high density commercial to the C-3-C (Commercial Residential-Conditional) District, with the following conditions:

Site plan amended to reflect a layout of the building and associated parking with the proposed new zoning district of C-3 to be submitted to the Bureau of Planning before the Zoning Committee.

**Z-05-147**-An Ordinance to rezone from the C-1 (Community Business) and R-LC (Residential Limited Commercial) District to the C-1 (Community Business) District, property located at **2318 Cascade Road, S.W.** Property fronts approximately 148 feet on the south side of Cascade Road at the southwest corner of Cascade Road and Boulevard Granada. Depth: varies. Area: approximately .95 acres. Land Lot 88, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: HT GROUP, LLC

APPLICANT: R. L. BRAND, JR.

NPU-I- **NO POSITION TAKEN**

**S-APPROVAL**

**R-DEFERRAL**

COUNCIL DISTRICT 11

**STAFF RECOMMENDATION: APPROVAL-CONDITIONAL**

**ZRB RECOMMENDATION: APPROVAL-CONDITIONAL**

**END OF AGENDA**